

IN THE CIRCUIT COURT OF RANDOLPH COUNTY, MISSOURI**MARGIE ANDERSON****Plaintiff,****v.****CHRISTOPHER HOFFMAN****Serve at:****5850 W. 36th Avenue****Gary, Indiana 46408****and****STAN KOCH & SONS TRUCKING, INC.****Serve Registered Agent at:****Cogency Global, Inc.****9666 Olive Boulevard, Suite 690****Saint Louis, Missouri 63132****Defendants.****Case No. _____****JURY TRIAL REQUESTED****PETITION FOR DAMAGES**

COMES NOW Plaintiff, Margie Anderson, by and through her attorneys of record, Aaron Sachs & Associates, P.C., and for her cause of action against Defendants Christopher Hoffman, Steven Botts, and Stan Koch & Sons Trucking, Inc., states as follows:

GENERAL ALLEGATIONS

1. At all times relevant herein, Plaintiff Margie Anderson (herein known as 'Plaintiff'), was a resident of Randolph County, Missouri.

2. At all times relevant herein, on information and belief, Defendant Christopher Hoffman (herein known as "Defendant Hoffman"), was a resident of Lake County, Indiana, and may be served at 5850 W. 36th Avenue, Gary, Indiana, 46408.

3. At all times relevant herein, Defendant Stan Koch & Sons Trucking, was a corporation in good standing in the State of Missouri. Further, it conducts and transacts interstate

business, including the State of Missouri, and, as such, is capable of suing and being sued in Missouri courts, and vicariously liable for the conduct of its employees, agents, servant and/or lessors, including Defendant Christopher Hoffman.

4. The events described herein that gave rise to Plaintiff's cause of action and venue is proper because of injuries and damages from tortious conduct committed in Randolph County, Missouri.

5. Plaintiff's damages exceed any minimum jurisdictional requirement of this Court.

6. At all times relevant herein, the portion of East Outer Road where this incident occurred was a public highway, street, or thoroughfare, located in Randolph County, Missouri.

7. On or about June 30, 2017, at approximately 12:30 p.m., Defendant Christopher Hoffman was operating a 2013 Hyundai Semi Track and Trailer in a southerly direction on East Outer Road in Randolph County, Missouri.

8. On or about June 30, 2017, at approximately 12:30 p.m., Defendant Steven Botts was operating a 2004 Dodge Dakota in a northerly direction on East Outer Road Avenue in Randolph County, Missouri.

9. At the above-referenced date and time, Plaintiff was lawfully operating a 2017 Ford Escape in a southerly direction on East Outer Road Avenue in Randolph County, Missouri.

10. At the above-referenced date and time, Defendant Hoffman's motor vehicle collided with the front of the vehicle operated by Steven Botts.

11. At the above-referenced date and time, Steven Botts's motor vehicle collided with the front of the vehicle operated by Defendant Hoffman which collided with the front of the vehicle operated by the Plaintiff, causing bodily injuries and damages to Plaintiff as hereinafter alleged.

COUNT I – NEGLIGENCE OF DEFENDANT CHRISTOPHER HOFFMAN

COMES NOW Plaintiff, and for her cause of action in *Count I – Negligence of Defendant Christopher Hoffman*, states as follows:

12. Plaintiff hereby incorporates by reference each and every allegation set forth in the *General Allegations* of this *Petition for Damages* as if herein stated verbatim.

13. Defendant Christopher Hoffman owed Plaintiff a duty to exercise the highest degree of care in the operation of his motor vehicle.

14. At the time of the above-referenced incident, Defendant Christopher Hoffman breached that duty of care and was negligent in one or more of the following respects:

- a. Driving his vehicle in reverse when it was unsafe to do so;
- b. Failure to yield to vehicles that had the right of way;
- c. Traveling the wrong way on the roadway; and
- d. Failure to keep a careful lookout.

15. As a direct and proximate result of the negligence of Defendant Christopher Hoffman, Plaintiff sustained permanent and progressive injuries to right hip.

16. As a direct and proximate result of the negligence of Defendant Christopher Hoffman, Plaintiff sustained past, present, and future severe pain, suffering, and anguish.

17. As a direct and proximate result of the negligence of Defendant Christopher Hoffman, Plaintiff incurred significant past medical expenses.

18. As a direct and proximate result of the negligence of Defendant Christopher Hoffman, Plaintiff will incur significant future medical expenses, the exact amount of which is not yet known.

19. As a direct and proximate result of the negligence of Defendant Christopher Hoffman, Plaintiff's ability to work and earn a living has been disrupted and impaired and she has sustained past, present, and future lost wages.

WHEREFORE Plaintiff prays for judgment in *Count I – Negligence of Defendant Christopher Hoffman*, against Defendant Christopher Hoffman for such damages as are fair and reasonable, for her costs herein incurred, and for such other relief to which the law may entitle him.

COUNT II – NEGLIGENCE *PER SE* OF DEFENDANT CHRISTOPHER HOFFMAN

COMES NOW Plaintiff and for her cause of action in *Count II – Negligence Per Se of Defendant Christopher Hoffman*, states as follows:

20. Plaintiff hereby incorporates by reference each and every allegation set forth in the *General Allegations* and *Count I* of this *Petition for Damages* as if herein stated verbatim.

21. At the time of the above-referenced incident, Defendant Christopher Hoffman drove in violation of Section 304.014 RSMo, and was negligent *per se* in violation of one or more of the following rules of the road that were intended and designed to prevent the type of harm suffered by the Plaintiffs:

- a. Failure to use the highest degree of care when operating a motor vehicle in violation of Section 304.012, RSMo;
- b. Failure to comply with the rules of the road (Section 304.010, RSMo *et seq*) in violation of Section 304.014, RSMo; and
- c. Failure to operate the vehicle in a careful and prudent manner in violation of Section 304.012, RSMo;

22. As a direct and proximate result of the negligence *per se* of Defendant Christopher Hoffman, Plaintiff sustained permanent and progressive injuries to her right hip.

23. As a direct and proximate result of the negligence *per se* of Defendant Christopher Hoffman, the Plaintiff sustained past, present, and future severe pain, suffering, and anguish.

24. As a direct and proximate result of the negligence *per se* of Defendant Christopher Hoffman, Plaintiff incurred significant past medical expenses.

25. As a direct and proximate result of the negligence *per se* of Defendant Christopher Hoffman, Plaintiff will incur significant future medical expenses, the exact amount of which is not yet known.

26. As a direct and proximate result of the negligence *per se* of Defendant Christopher Hoffman, Plaintiff's ability to work and earn a living has been disrupted and impaired and he has sustained past, present, and future lost wages.

WHEREFORE Plaintiff prays for judgment in *Count II – Negligence Per Se of Defendant Christopher Hoffman*, against Defendant Christopher Hoffman for such damages as are fair and reasonable, for her costs herein incurred, and for such other relief to which the law may entitle her.

COUNT III – NEGLIGENCE OF DEFENDANT STAN KOCH & SONS TRUCKING, INC.

COMES NOW Plaintiff Margie Anderson, and for her cause of action for negligence and negligence *per se* against Defendant Stan Koch & Sons Trucking, Inc., states as follows:

27. Plaintiff incorporates by reference each and every allegation contained in the General Allegations, Counts I and Count II above, as though said paragraphs were set forth herein.

28. Defendant Stan Koch & Sons Trucking, Inc., admitted that Defendant Hoffman was an employee, agent, servant and/or lessor of Defendant Stan Koch & Sons Trucking, Inc., at the

time of this incident.

29. Defendant Stan Koch & Sons Trucking, Inc., acknowledged that at the time of this incidence, Defendant Hoffman was acting within the scope and course of his employment, or agency, or capacity as an employee, agent or servant and/or lessor with Defendant Stan Koch & Sons Trucking, Inc.

30. Defendant Stan Koch & Sons Trucking, Inc. is vicariously liable for the negligent conduct of its agent/servant/employee Christopher Hoffman via *respondeat superior*.

31. As a result of the direct and vicarious negligence and negligence *per se* of Defendant Stan Koch & Sons Trucking, Inc., by and through its employee, agent, servant and/or lessor, Defendant Christopher Hoffman, Plaintiff Margie Anderson sustained significant bodily injuries including injuries to her right hip.

32. As a direct and proximate result of the negligence of Defendant Stan Koch & Sons Trucking, Inc., by and through its employee, agent, servant and/or lessor, Defendant Christopher Hoffman, Plaintiff Margie Anderson has sustained past, present, and future severe pain, suffering, and anguish.

33. As a direct and proximate result of the negligence of Defendant Stan Koch & Sons Trucking, Inc., by and through its employee, agent, servant and/or lessor, Defendant Christopher Hoffman, Plaintiff Margie Anderson has incurred, and in the future may incur, significant medical expenses, the exact amount of which is not yet known.

34. As a direct and proximate result of the negligence of Defendant Stan Koch & Sons Trucking, Inc., by and through its employee, agent, servant and/or lessor, Defendant Christopher Hoffman, Plaintiff Margie Anderson has incurred, and in the future may incur, lost wages, lost income, lost profits, and loss of earning capacity.

WHEREFORE, Plaintiff Margie Anderson prays for judgment against Defendant Stan Koch & Sons Trucking, Inc., for such damages as are fair and reasonable, for her costs herein incurred, and for such other relief to which the law may entitle her and to which to court deems just and proper in the premises.

Respectfully submitted,

AARON SACHS & ASSOCIATES, P.C.

By: 

Brandon L. Howard
Missouri Bar No. 61887
3271 E. Battlefield, Suite 350
Springfield, Missouri 65804
Office: 417-889-1400
Direct: 417-893-5106
Facsimile: 417-889-5359
Email: brandon@autoinjury.com
Attorney for Plaintiff

IN THE CIRCUIT COURT OF RANDOLPH COUNTY, MISSOURI

MARGIE ANDERSON

Plaintiff,

v.

CHRISTOPHER HOFFMAN

Serve at:

5850 W. 36th Avenue

Gary, Indiana 46408

and

STAN KOCH & SONS TRUCKING, INC.

Serve Registered Agent at:

Cogency Global, Inc.

9666 Olive Boulevard, Suite 690

Saint Louis, Missouri 63132

Defendants.

Case No. _____

JURY TRIAL REQUESTED

MOTION TO APPOINT SPECIAL PROCESS SERVER

In accordance with RSMo. §506.140.1 and local rules, upon written application and with just cause shown, Plaintiff hereby requests appointment of a duly-qualified disinterested party as "Special Process Server." This appointment shall only be valid for this specific case.

Defendant will not be prejudiced by the appointment of a special process server.

WHEREFORE, Plaintiff prays for Leave of this Court to appoint Mike Estell, 628 E. Kearney, Box 311, Springfield, MO 65803 as special process server.

AARON SACHS & ASSOCIATES, P.C.

By: 

Brandon L. Howard

Missouri Bar No. 61887

3271 E. Battlefield, Suite 350

Springfield, Missouri 65804

Office: 417-889-1400

Direct: 417-893-5106

Facsimile: 417-889-5359

Email: brandon@autoinjury.com*Attorney for Plaintiff*

IN THE CIRCUIT COURT OF RANDOLPH COUNTY, MISSOURI

MARGIE ANDERSON

Plaintiff,

v.

CHRISTOPHER HOFFMAN

Serve at:

5850 W. 36th Avenue

Gary, Indiana 46408

and

STAN KOCH & SONS TRUCKING, INC.

Serve Registered Agent at:

Cogency Global, Inc.

9666 Olive Boulevard, Suite 690

Saint Louis, Missouri 63132

Defendants.

Case No. _____

JURY TRIAL REQUESTED

ORDER FOR SPECIAL PROCESS SERVER

On this 24th day of November 2020, the Court, having reviewed Plaintiff's *Motion to Appoint of Special Process Server*; it is hereby:

ORDERED, ADJUDGED AND DECREED, that Mike Estell, 628 E. Kearney, Box 311, Springfield, MO 65803 is appointed as special process server in the above captioned case, for the purpose of serving Defendant.

DATE

CIRCUIT COURT JUDGE/CLERK



AutoInjury.com
1.888.777.AUTO (2886)

Attorneys

Aaron Wm. Sachs

Joel A. Block**

Devon L. Eggerman*

Max Blaser***

Rick VanAntwerp

Grant Gorman

Brandon L. Howard

Brandon C. Potter

Daniel P. Molloy

Karima Gilbert

*Licensed also in Kansas

**Licensed also in Arkansas

***Licensed also in Oklahoma

November 24, 2020

VIA CASENET

Randolph County Circuit Court

RE: *Margie Anderson v. Christopher Hoffman and Stan Koch & Sons Trucking, Inc.*
Randolph County Case No. _____

To Whom It May Concern,

Please issue a Summons for Service signed by the court clerk.

Sincerely,

AARON SACHS & ASSOCIATES, P.C.

By: 

Brandon L. Howard

BH/jr

Send ALL Correspondence

and Business Reply Mail to

the Principal Office at

3271 E Battlefield, Suite 350

Springfield, Missouri 65804

Office 417.889.1400

Fax 417.889.5359

3101 McClelland Boulevard

Joplin, Missouri 64804

Office 417.627.0066

Fax 417.627.9877

Buttonwood Business Center

3610 Buttonwood Drive, Ste 224

Columbia, Missouri 65201

Office 573.449.5500

Attorney Meetings by

Appointment Only



AutoInjury.com
1.888.777.AUTO (2886)

Attorneys

Aaron Wm. Sachs
Joel A. Block**
Devon L. Eggerman*
Max Blaser***
Rick VanAntwerp
Grant Gorman
Brandon L. Howard
Brandon C. Potter
Daniel P. Molloy
Karima Gilbert

*Licensed also in Kansas

**Licensed also in Arkansas

***Licensed also in Oklahoma

December 1, 2020

VIA CASENET

Randolph County Circuit Court

**RE: Margie Anderson v. Christopher Hoffman, and Stan Koch & Sons
Trucking, Inc.
Randolph County Circuit Court Case No.: 20RA-CV01624**

To Whom It May Concern:

Please issue Summons for Service upon the following defendants:

Christopher Hoffman, 5850 W. 36th Avenue, Gary Indiana, 46408.

and

**Stan Koch & Sons Trucking, Inc. Register Agent: Cogency Global, Inc., 9666
Olive Boulevard, Suite 690 San Louis, Missouri 63132.**

Thank you.

Sincerely,

AARON SACHS & ASSOCIATES, P.C.

By: _____
Juvencio Rojas, Paralegal

juvencio@autoinjury.com | 417.889.1400
Toll free 1.888.777.2886 | Facsimile 417.889.5359

*Send ALL Correspondence
and Business Reply Mail to
the Principal Office at*
3271 E Battlefield, Suite 350
Springfield, Missouri 65804
Office 417.889.1400
Fax 417.889.5359

3101 McClelland Boulevard
Joplin, Missouri 64804
Office 417.627.0066
Fax 417.627.9877

Buttonwood Business Center
3610 Buttonwood Drive, Ste 224
Columbia, Missouri 65201
Office 573.449.5500

*Attorney Meetings by
Appointment Only*

IN THE CIRCUIT COURT OF RANDOLPH COUNTY, MISSOURI

MARGIE ANDERSON

Plaintiff,

v.

CHRISTOPHER HOFFMAN

Serve at:

5850 W. 36th Avenue

Gary, Indiana 46408

and

STAN KOCH & SONS TRUCKING, INC.

Serve Registered Agent at:

Cogency Global, Inc.

9666 Olive Boulevard, Suite 690

Saint Louis, Missouri 63132

Defendants.

Case No. _____

JURY TRIAL REQUESTED

MOTION TO APPOINT SPECIAL PROCESS SERVER

In accordance with RSMo. §506.140.1 and local rules, upon written application and with just cause shown, Plaintiff hereby requests appointment of a duly-qualified disinterested party as “Special Process Server.” This appointment shall only be valid for this specific case.

Defendant will not be prejudiced by the appointment of a special process server.

WHEREFORE, Plaintiff prays for Leave of this Court to appoint Drew Wheeler, 2131 W. Republic Road, Suite 512, Springfield, MO 65807 as special process server.

AARON SACHS & ASSOCIATES, P.C.

By: /s/ Brandon L. Howard

Brandon L. Howard

Missouri Bar No. 61887

3271 E. Battlefield, Suite 350

Springfield, Missouri 65804

Office: 417-889-1400

Direct: 417-893-5106

Facsimile: 417-889-5359

Email: brandon@autoinjury.com

Attorney for Plaintiff

IN THE CIRCUIT COURT OF RANDOLPH COUNTY, MISSOURI

MARGIE ANDERSON

Plaintiff,

v.

CHRISTOPHER HOFFMAN

Serve at:

5850 W. 36th Avenue

Gary, Indiana 46408

and

STAN KOCH & SONS TRUCKING, INC.

Serve Registered Agent at:

Cogency Global, Inc.

9666 Olive Boulevard, Suite 690

Saint Louis, Missouri 63132

Defendants.

Case No. _____

JURY TRIAL REQUESTED

ORDER FOR SPECIAL PROCESS SERVER

On this 24th day of November 2020, the Court, having reviewed Plaintiff's *Motion to Appoint of Special Process Server*; it is hereby:

ORDERED, ADJUDGED AND DECREED, that Drew Wheeler, 2131 W. Republic Road, Suite 512, Springfield, MO 65807 is appointed as special process server in the above captioned case, for the purpose of serving Defendant.

DATE

CIRCUIT COURT JUDGE/CLERK

IN THE CIRCUIT COURT OF RANDOLPH COUNTY, MISSOURI

MARGIE ANDERSON

Plaintiff,

v.

CHRISTOPHER HOFFMAN

**Serve at:
5850 W. 36th Avenue
Gary, Indiana 46408**

and

STAN KOCH & SONS TRUCKING, INC.

**Serve Registered Agent at:
Cogency Global, Inc.
9666 Olive Boulevard, Suite 690
Saint Louis, Missouri 63132**

Defendants.

Case No. 20RA-CV01624

JURY TRIAL REQUESTED

ORDER FOR SPECIAL PROCESS SERVER

On this 24th day of November 2020, the Court, having reviewed Plaintiff's *Motion to Appoint of Special Process Server*; it is hereby:

ORDERED, ADJUDGED AND DECREED, that Mike Estell, 628 E. Kearney, Box 311, Springfield, MO 65803 is appointed as special process server in the above captioned case, for the purpose of serving Defendant.

12/03/2020
DATE


Michelle Chapman
CIRCUIT COURT JUDGE/CLERK



IN THE 14TH JUDICIAL CIRCUIT, RANDOLPH COUNTY, MISSOURI

Judge or Division: SCOTT A HAYES	Case Number: 20RA-CV01624	(Date File Stamp)
Plaintiff/Petitioner: MARGIE LANE ANDERSON	Plaintiff's/Petitioner's Attorney/Address BRANDON LANE HOWARD 3271 EAST BATTLEFIELD SUITE 350 SPRINGFIELD, MO 65804	
Defendant/Respondent: CHRISTOPHER HOFFMAN	Court Address: 372 HWY JJ SUITE 1A HUNTSVILLE, MO 65259-1279	
Nature of Suit: CC Pers Injury-Vehicular		

Summons in Civil Case

The State of Missouri to: CHRISTOPHER HOFFMAN	
Alias:	
5850 W. 36TH AVE. GARY, IN 46408	
 COURT SEAL OF RANDOLPH COUNTY	You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.
_____ 12/03/2020 _____ Date	_____/S/ MICHELLE CHAPMAN _____ Clerk
Further Information:	

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____.

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary

Supplemental Surcharge \$ 10.00

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____


A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 14TH JUDICIAL CIRCUIT, RANDOLPH COUNTY, MISSOURI

Judge or Division: SCOTT A HAYES	Case Number: 20RA-CV01624	(Date File Stamp)
Plaintiff/Petitioner: MARGIE LANE ANDERSON	Plaintiff's/Petitioner's Attorney/Address BRANDON LANE HOWARD 3271 EAST BATTLEFIELD SUITE 350 SPRINGFIELD, MO 65804	
Defendant/Respondent: CHRISTOPHER HOFFMAN	Court Address: 372 HWY JJ SUITE 1A HUNTSVILLE, MO 65259-1279	
Nature of Suit: CC Pers Injury-Vehicular		

Summons in Civil Case

The State of Missouri to: STAN KOCH & SONS TRUCKING, INC.	
Alias:	
9666 OLIVE BOULEVARD SUITE 690 SANT LOUIS, MO 63132 COURT SEAL OF	<p>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</p>
 RANDOLPH COUNTY	<p>12/03/2020 /S/ MICHELLE CHAPMAN Date Clerk</p>

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

- ☐ delivering a copy of the summons and a copy of the petition to the defendant/respondent.
- ☐ leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
- ☐ (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).
- ☐ other: _____.

Served at _____ (address)
in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary \$ 10.00

Supplemental Surcharge \$ _____

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.